



01-03-06

MEMC 96-0056 (2101.3)
PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Robert J. Falster et al. Art Unit 1722
Serial No. 10/685,251
Filed October 14, 2003
Confirmation No. 3992
For PROCESS FOR PRODUCING LOW DEFECT DENSITY SILICON
EXAMINER Robert M. Kunemund

December 30, 2005

COMMISSIONER FOR PATENTS
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SIR:

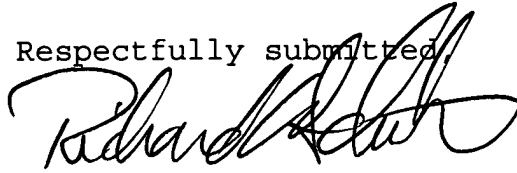
LETTER TO THE PATENT AND TRADEMARK OFFICE

Applicants previously submitted a Petition to Suspend Action by the Office in accordance with 37 C.F.R. 1.103 and MPEP 709, which was dated December 23, 2005. In the petition, Applicant's mistakenly stated that the present application claims priority from U.S. Patent No. 5,919,302. In fact, the present application does not claim priority from the '302 patent. Rather, both the present application and the '302 patent claim priority from the same provisional application, i.e., U.S. Provisional Application No. 60/041,845 ('845). Nevertheless, the subject matter of the immediate application is so closely related to the subject matter of the '302 patent that suspension of action by the office in the immediate application remains appropriate, because the litigation may yield information materially related to the immediate application's patentability.

Additionally, the Petition refers to allegations made regarding U.S. Patent No. 6,287,380 ('380 patent), which also claims priority from the '845 application. Again, while the

immediate application does not claim direct priority from the '380 patent, resolution of allegations concerning the '380 patent may produce information materially related to the immediate application's patentability. Therefore, applicants maintain their petition for suspension of action by the Office for six months in the immediate application.

Respectfully submitted,



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